

REMARKS

Claims 31-39 are pending in this application. By this Amendment, claims 40-42 are canceled without prejudice to, or disclaimer of, the subject matter recited therein. In addition, claims 31 and 37-39 are amended. Support for the amendments may be found, for example, in paragraphs [0060], [0075] and [0117] of the specification. No new matter is added. Applicants respectfully request reconsideration and prompt allowance of the pending claims, at least in light of the following remarks.

I. Information Disclosure Statement

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on July 15, 2009. Applicants have not yet received from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the disclosed information. The Examiner is requested to initial and return to the undersigned a copy of the Form PTO-1449.

II. 35 U.S.C. §112 Rejections

The Office Action rejects claims 31-39 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Regarding claim 31, the Office Action asserts that the recitation "by use of a forming material including water and two or more types of aggregate particulate materials" in claim 31 is indefinite because claim 31 allegedly does not set forth any steps involved in the method of using the aggregate particulate materials. Applicants respectfully assert that claim 1 claims a method for manufacturing a honeycombed formed body and sets forth the steps of mixing and kneading step set forth steps for using the aggregate particulate materials (i.e., mixing and kneading the aggregate particulate materials). However, in the interest of expediting prosecution, claim 31 is amended responsive to the rejection.

Regarding claim 32, the Office Action asserts that there is insufficient antecedent basis for the feature "the forming blend (wet powder)." Claim 31 is amended responsive to this rejection.

Regarding claim 37, the Office Action asserts that the claim does not set forth any steps involved in the method/process of using a "cordierite forming material." Applicants respectfully disagree with this assertion. As discussed above for the rejection of claim 31, the claimed method is for manufacturing a honeycombed formed body. However, in the interest of expediting prosecution, claim 37 is amended responsive to the rejection.

Regarding claim 38, the Office Action asserts that the feature "while sprayed" is indefinite because it is allegedly unclear what is being sprayed. Claim 38 is amended responsive to the rejection.

Regarding claim 39, the Office Action asserts that the claim is indefinite because the claim allegedly does not set forth any steps involved in the method/process for using "a material containing a powder pass through a sieve." Applicants respectfully disagree with this assertion. As discussed above for the rejection of claim 31, the claimed method is for manufacturing a honeycombed formed body. However, in the interest of expediting prosecution, claim 39 is amended responsive to the rejection.

The Office Action rejects claims 33-36 due to their dependence from independent claim 31. Claim 31 is amended to overcome the rejection. Therefore, the rejection of claims 33-36 is overcome for the reasons discussed above for independent claim 31.

Applicants respectfully request withdrawal of the rejections.

III. 35 U.S.C. §101 Rejection

The Office Action rejects claims 31, 37 and 39 under 35 U.S.C. §101 because the claimed allegedly do not properly define a process. The Office Action asserts that the recitation of a use without setting forth any steps involved in the process, results in an

improper definition of a process. However, as discussed above for the §112 rejections of claims 31, 37 and 39, the claimed method is for manufacturing a honeycomb formed body with steps of mixing and kneading being positively defined. Therefore, claims 31, 37 and 39 satisfy the requirement set forth in 35 U.S.C. §101. Applicants respectfully request withdrawal of the rejection.

IV. The Claims Define Patentable Subject Matter

The Office Action rejects claims 31, 33, 34, 37 and 39 under 35 U.S.C. §103(a) over U.S. Patent No. 6,506,336 to Beall et al. (Beall I) in view of "Effect of Selective Parameters On Grinding Process of Alumina In The Rotary-Vibration Mill" by Węcik et al. (Węcik); rejects claims 32 and 35 under 35 U.S.C. §103(a) over Beall I, Węcik and U.S. Patent No. 6,300,266 to Beall et al. (Beall II); and rejects claims 36 and 38 under 35 U.S.C. §103(a) over Beall I, Węcik and U.S. Patent No. 4,499,561 to Mason et al. (Mason). The rejections are respectfully traversed.

Beall I and Węcik, either alone or in combination, fail to disclose each and every feature recited in claim 31. For example, Beall I and Węcik fail to disclose "at least the mixing step mixes the material so as to inhibit generation of an agglomerate and set TG mixture degree to 0.2 or less by use of either the aggregate particulate materials which are classified beforehand, or whose surfaces are coated before start of the mixing of the aggregate particulate materials and means for mixing the materials while applying pressuring vibrations to the materials in order to avoid the mixture into the agglomerate into the clay," as originally recited in claim 31.

The Office Action agrees that Beall I fails to disclose the above-recited feature. However, the Office Action asserts that Węcik remedies this deficiency because Węcik allegedly discloses classifying aggregate particulate materials beforehand and applying

pressurizing vibration to the aggregate particulate materials. Applicants respectfully disagree with this assertion.

For example, Węcik fails to disclose classifying the aggregate particulate materials before mixing aggregate materials. In support of its argument, the Office Action asserts that because two types of alumina (A) and (B) were used in two different tests, they are classified beforehand. However, the two types of alumina are never mixed together (see Węcik, page 116). Therefore, Węcik fails to disclose classifying aggregate particulate materials before mixing the material, as required by claim 31, because Węcik does not disclose any mixing step.

In addition, both Beall I and Węcik fail to disclose setting a TG mixture degree of a dry mixture as recited in claim 31. Claim 31 requires that the TG mixture degree is determined from the particles of a dry mixture. In contrast, Beall I describes optimizing the uniformity of a wet mixture and makes no reference to the TG mixture degree of a dry mixture (see Beall I, col. 6, lines 7-48). In addition, Węcik merely discloses controlling the size of particles for a single type of alumina and is not concerned with determining a TG mixture degree of a mixture of alumina (see Węcik, page 116).

Furthermore, the current specification defines the term "classified" recited in claim 31 to mean removing the mixed agglomerate from the aggregate particulate material (see specification, paragraph [0060]). Neither Beall I or Węcik discloses this feature. Beall II and Mason fail to remedy the deficiencies of Beall I and Węcik. However, in the interest of expediting prosecution, claim 31 is amended to further define the term "classified" to mean removing the mixed agglomerate.

Dependent claims 32-39 depend from independent claim 31. Therefore, these claims are also patentable, at least for their dependence on independent claim 31, as well as for the

additional features that these claims recite. Applicants respectfully request withdrawal of the rejection.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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